

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KING MICHAEL TUTANKHAMAN,

Plaintiff,

v.
RICHARD F. BOULWARE II,

Defendant.

Case No.: 2:22-cv-01504-APG-EJY

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF Nos. 6, 7]

On September 19, 2022, Magistrate Judge Youchah recommended that I dismiss plaintiff King Michael Tutankhaman’s petition for judicial review with prejudice. ECF No. 6. Tutankhaman did not file an objection to the recommendation, but instead he filed an application to proceed *in forma pauperis* and a new petition. ECF Nos. 7, 8. I am not required to conduct “any review at all ... of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Ninth Circuit has confirmed that a district court is not required to review a magistrate judge’s report and recommendation where no objection has been filed. *See United States v. Reyna–Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (“[T]he district judge must review the magistrate judge’s findings and recommendations *de novo if objection is made*, but not otherwise.”) (emphasis in original).

Nevertheless, I have reviewed the issues in the Report and Recommendation. Judge Youchah’s Report and Recommendation sets forth the proper legal analysis and factual basis for the decision. I accept and adopt it as my own. And because Tutankhaman’s newest application to proceed *in forma pauperis* and proposed petition (ECF Nos. 7, 8) are equally flawed, I deny them.

1 I THEREFORE ORDER that the Report and Recommendation (ECF No. 6) is accepted,
2 the plaintiff's application to proceed *in forma pauperis* (ECF No. 7) is denied as moot, and this
3 case is DISMISSED with prejudice. The clerk of the court shall enter Judgment accordingly.

4 Dated: November 3, 2022.

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7 ANDREW P. GORDON
8 UNITED STATES DISTRICT JUDGE
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